

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SRI INTERNATIONAL, INC.,)	
a California Corporation,)	
)	
Plaintiff and)	
Counterclaim-Defendant,)	
)	C.A. No. 04-1199 (SLR)
v.)	
)	
INTERNET SECURITY SYSTEMS, INC.,)	PUBLIC VERSION
a Delaware Corporation, INTERNET)	
SECURITY SYSTEMS, INC., a Georgia)	
Corporation, and SYMANTEC)	
CORPORATION, a Delaware Corporation,)	
)	
Defendants and)	
Counterclaim-Plaintiffs.)	

LETTER TO THE HONORABLE SUE L. ROBINSON DATED MAY 13, 2008

PART 1 OF 2

cc:	Clerk of the Court	Richard L. Horwitz (#2246)
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VIA ELECTRONIC FILING

The Honorable Sue L. Robinson
J. Caleb Boggs Federal Building
844 N. King Street
Wilmington, DE 19801

PUBLIC VERSION

Re: SRI International, Inc. v. Internet Security Systems , et al.
C.A. No. 04-1199-SLR

Dear Judge Robinson:

Pursuant to the Court's request at the April 29, 2008 status conference, ISS is providing the Court with that portion of the existing summary judgment record in this case that pertains to Defendants' allegation that the asserted claims of the '338 patent are anticipated by the *JiNao* reference. In particular, the following documents are enclosed:

1. The original Joint Motion of Defendants ISS and Symantec for Summary Judgment of Invalidity Pursuant to 35 U.S.C. §§ 102 & 103 (D.I. 297) ("Joint Motion") filed June 16, 2006, attached as Exhibit 1;
2. A redacted version of Defendants' opening brief in support of the Joint Motion (D.I. 299), attached as Exhibit 2;
3. A redacted version of Defendants' reply brief in support of the Joint Motion (D.I. 400), attached as Exhibit 3; and
4. Relevant portions of the supporting Declaration of Renee DuBord Brown (D.I. 301), attached as Exhibit 4 (with Exhibits A-OO).

Co-defendant Symantec Corporation will be submitting the portion of the summary judgment record pertaining to Defendants' allegation that the asserted claims of the '203 and '615 patents were obvious in light of *EMERALD 1997* and *Intrusive Activity 1991*. Both ISS and Symantec discussed these invalidity arguments in recent letters to the Court on April 25, 2008 (D.I. 500) and April 29, 2008 (D.I. 501) and during the April 29, 2008 status conference. Per the

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Court's instruction, ISS has not submitted any materials from the recent record, however, should the Court deem those materials necessary for review, ISS will provide them.

ISS appreciates the Court's further consideration of these issues and is pleased to provide further documentation or answer any additional questions if needed.

Respectfully,

/s/ Richard L. Horwitz

Richard L. Horwitz

/msb

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cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)